

## **REMARKS**

### **Interview with the Examiner**

The Applicant's representative would like to thank Examiner William Dowling for the courtesy extended during the Examiner's Interview conducted on June 3, 2005. The discussion centered primarily on U.S. Patent No. 6,322,219 B1 to Okamori et al. ("Okamori") and its inclusion of both transmissive and reflective elements having optical power. Based upon the interview, it is believed that by requiring all elements with optical power to be reflective, the 35 U.S.C. § 102(a) rejection of claims 1, 11, and 23 is overcome. In addition, Examiner Dowling stated the rejection of claims 2 and 12 was in error as claims 2 and 12 had been amended in the Amendment dated January 24, 2005 to depend from allowed claims 3 and 13, respectively.

### **Status Of Application**

Claims 1-25 are pending in the application; the status of the claims is as follows:

Claims 1, 2, 11, 12, 22, and 23 are rejected under 35 U.S.C. § 102(a) as being clearly anticipated by U.S. Patent No. 6,322,219 B1 to Okamori et al. ("Okamori"). As noted above, the rejection of claims 2 and 12 is believed to be in error. Therefore, this Amendment addresses only the rejection of claims 1, 11, 22, and 23.

Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Okamori in view of U.S. Patent No. 6,626,542 B2 to Baba et al. ("Baba") or U.S. Patent No. 6,626,541 B2 to Sunaga ("Sunaga").

Claims 3-10, 13-20, 24, and 25 are allowed.

The Office Action does not acknowledge receipt of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d). Copies of the Certified Copies of Japanese Patent Application Nos. 2002-300791 and 2002-300800 were enclosed with the Applicants'

Amendment mailed on January 24, 2005 (filed with the Patent and Trademark Office on January 27, 2005). Acknowledgement of our claim for foreign priority and receipt of the priority documents is respectfully requested.

### **Claim Amendments**

Claims 1, 11, and 23 have been amended to require that each element having optical power and disposed between the exit surface of the light intensity uniformizing device and the ultimate display surface is a reflective surface. Support for these amendments is found in Figs. 1 – 4 and in corresponding paragraphs [0011] – [0016]. Thus, these changes do not introduce any new matter.

### **35 U.S.C. § 102(a) Rejection**

The rejection of claims 1, 11, 22, and 23 under 35 U.S.C. § 102(a) as being clearly anticipated by Okamori, is respectfully traversed based on the following.

Claim 1 includes the limitation, “wherein, each element having an optical power, which is disposed between the exit surface of the light intensity uniformizing device and the display panel, is a reflective surface.” Thus, while elements having no optical power may have either transmissive or reflective surfaces, those elements having optical power have reflective surfaces. This limitation applies only to those elements between the exit surface of the light intensity uniformizing device and the display panel.

In contrast, Okamori, in each of Figs. 6 – 8, 19, and 21, discloses a transmissive element having optical power. In particular, the Office Action asserts Figs. 6 – 8 disclose a mixing rod (element 3) for uniformizing light that may be projected onto a transmissive screen (element 95). However, Figs. 6 – 8 also disclose a transmissive first lens means (element 4) that has optical power as illustrated in Fig. 9 and as described in col. 7, line 41 through col. 8, line 37. This transmissive first lens means having optical power is located between the mixing rod and the transmissive screen. Figs. 19 and 21 similarly include a

mixing rod element and a transmissive first lens means. Furthermore, both Figs. 19 and 21 include a transmissive projector lens means (element 8) having optical power.

Therefore, each embodiment of Okamori discloses at least one transmissive element having optical power located between the mixing rod and the ultimate display surface. Because Okamori discloses a transmissive optical element having optical power located between a mixing rod element and a display surface, Okamori does not disclose an illumination optical system in which, "each element having an optical power, which is disposed between the exit surface of the light intensity uniformizing device and the display panel, is a reflective surface," as required by claim 1. Thus, Okamori does not disclose each limitation of claim 1 and cannot anticipate claim 1.

Claim 11, like claim 1, includes the limitation, "wherein, each element having an optical power, which is disposed between the exit surface of the light intensity uniformizing device and the display panel, is a reflective surface." As Okamori does not anticipate claim 1 based on at least this limitation, Okamori cannot anticipate claim 11 for at least the same reason. Claim 22 depends from unanticipated claim 11 and is therefore unanticipated for at least the same reason.

Claim 23 includes the limitation, "wherein, each element having an optical power, which is disposed between the exit surface of the light intensity uniformizing device and the transmission-type screen, is a reflective surface." As shown above, Okamori discloses the use of transmissive elements having optical power. Thus, claim 23 is not anticipated by Okamori for the same reason.

Accordingly, it is respectfully requested that the rejection of claims 1, 11, 22, and 23 under 35 U.S.C. § 102(a) as being clearly anticipated by Okamori, be reconsidered and withdrawn.

**35 U.S.C. § 103(a) Rejection**

The rejection of claim 21 under 35 U.S.C. § 103(a), as being unpatentable over Okamori in view of Baba or Sunaga, is respectfully traversed based on the following.

Claim 21 depends from claim 11. As discussed above, Okamori fails to anticipate claim 11 due, at least, to the limitation, “wherein, each element having an optical power, which is disposed between the exit surface of the light intensity uniformizing device and the display panel, is a reflective surface.” While Baba appears to disclose a reflection optical system, it does not disclose the entire optical system between the exit surface of a light intensity uniformizing device and a display panel. Baba discloses only that portion of the optical system from a light valve (element 2) to a screen. As noted in the Office Action, one would substitute projection mirrors for projection lenses. This would result in substituting the reflection optical system (elements 3 – 5) of Baba for the projector lens means (element 8) of Okamori. This combined system would still include first lens means (element 4) of Okamori between the mixing rod and the screen. Therefore, the combination of Okamori and Baba does not disclose or suggest each limitation of claim 11 and cannot anticipate claim 11. As claim 21 depends from nonobvious claim 11, claim 21 is nonobvious for at least the same reason.

Sunaga, like Baba, discloses a reflection optical system (a series of 6 reflective elements having optical power) between a light valve (element LV) and a screen (element S) as shown in Figs. 1, 2, 6, and 10. As with Baba, combining this reflection optical system from Sunaga with Okamori would result in an apparatus that would retain Okamori’s first lens means, a combination that does not disclose or suggest each limitation of claim 11. Fig. 7 provides additional detail about the configuration of the light valve and shows a number of reflective and transmissive elements. However, Fig. 7 does not disclose Okamori’s mixing rod. Thus, a number of differences exist between the configurations of Okamori and Sunaga. Due to these differences, it is not clear which elements from Sunaga would be combined with which elements from Okamori so as to disclose or suggest the invention of claim 11 without using the disclosure of the present

application. For this reason, the combination of Okamori and Sunaga cannot render obvious the invention of claim 11. As claim 21 depends from nonobvious claim 11, claim 21 is nonobvious for at least the same reason.

Accordingly, it is respectfully requested that the rejection of claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Okamori in view of Baba or Sunaga, be reconsidered and withdrawn.

### **CONCLUSION**

In view of the foregoing, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims beyond the number of claims originally paid for. Accordingly, no fee based on the number or type of claims is currently due. If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such a Petition for Extension of Time or any other fee required by this response, including any fee pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin

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Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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